

PATENT

App. Ser. No.: 10/618,410
Atty. Dkt. No. ROC920030164US1
PS Ref. No.: IBMK30164

REMARKS

This is intended as a full and complete response to the Office Action dated January 11, 2006, having a shortened statutory period for response set to expire on April 11, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-42 are pending in the application. Claims 1, 15, 20, 34, 39, 41, and 42 have been amended. Applicants submit that the amendments do not introduce new matter.

Interview Summary

On April 7, 2006, a telephonic interview was held between Jon K. Stewart, attorney for Applicant, Examiner Saeed and Supervisory Examiner Ali. The parties discussed the cited references including *Snodgrass* (U.S. Pat. Pub. No. 2004/0117359). Claim 1 was discussed, as were the other independent claims. The parties also discussed a proposed amendment to claim 1. The proposed amendments are reflected in this response.

During the interview, Applicants argued that the claims, with the proposed amendment, are generally directed to scheduling when to execute a database query. The parties agreed that the *Snodgrass* was directed to how to execute a database query and failed to disclose aspects of scheduling when to execute a database query. The Examiners agreed that the proposed amendments would clarify the claimed subject matter and that the amended claims are not anticipated by or obvious over the *Snodgrass* reference.

Claim Rejections - 35 U.S.C. § 102

Claims 1-7,10-12,15-17,20-26,29-31,34-36, and 39-42 are rejected under 35 U.S.C. 102(e) as being anticipated by *Snodgrass et al.* (*Snodgrass* hereinafter) (U.S. PG Pub No. 2004/0117359).

PATENT

App. Ser. No.: 10/618,410
Atty. Dkt. No. ROC920030164US1
PS Ref. No.: IBMK30164

Applicants respectfully traverse this rejection. As noted above, Applicants held a telephone conference with the Examiner and the Supervisory Examiner. Based on the telephone conference, Applicants believe that the claims, as amended, are in condition for allowance. Applications respectfully request, therefore, that the present rejection be withdrawn and the claims be allowed.

Claim Rejections - 35 U.S.C. § 103

Claims 8-9,13-14,18-19,27-28,32-33, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Snodgrass* as applied to claims 1-7,10-12,15-17,20-26,29-31,34-36, and 39-42, in view of *Lomet et al.* (US Patent No. 5,212,788).

Applicants respectfully traverse this rejection. Claims 8-9,13-14,18-19,27-28,32-33, and 37-38, depend from one 1, 7, 15, 20, 26, and 34. Based on the foregoing discussion of the independent claims, Applicants believe that the rejection of dependent 8-9,13-14,18-19,27-28,32-33, and 37-38 claims is obviated without the need for further comment.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

PATENT

App. Ser. No.: 10/618,410
Atty. Dkt. No. ROC920030164US1
PS Ref. No.: IBMK30164

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

/Gero G. McClellan, Reg. No. 44,227/

Gero G. McClellan
Registration No. 44,227
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicants